

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU LLC,

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO SAVERIN,
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,
CHRISTOPHER HUGHES, and FACEBOOK,
INC.,

Defendants.

CIVIL ACTION NO. 1:04-CV-11923
(DPW)

MARK ZUCKERBERG, and FACEBOOK, INC.,

Counterclaimants,

v.

CONNECTU LLC,

Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER
WINKLEVOSS, and DIVYA NARENDRA,

Additional Counterdefendants.

**FACEBOOK DEFENDANTS' RESPONSES TO PLAINTIFF'S AND
COUNTERDEFENDANTS' FOURTH REQUEST FOR THE PRODUCTION OF
DOCUMENTS AND THINGS (NOS. 199-249)**

Defendants Mark Zuckerberg, Dustin Moskovitz, Andrew McCollum, Christopher Hughes and Facebook, Inc. ("Facebook Defendants") hereby collectively respond to the fourth set of requests for the production of documents and things ("Plaintiff's Fourth RFP") by Plaintiff and Counterdefendant ConnectU LLC and additional Counterdefendants Cameron Winklevoss, Tyler Winklevoss, and Divya Narendra (collectively "Plaintiff") as follows:

Complaint was filed," which was September 2, 2004.

Subject to and without waiving any of the specific and general objections set forth, Facebook Defendants will produce any responsive, non-privileged documents in Facebook Defendants' possession found upon a reasonable search, to the extent such documents exist, but will not produce documents, and will redact any information, not directly related to Mr. Zuckerberg's citizenship on September 2, 2004. Moreover, Facebook Defendants will not produce 2005 or 2006 documents related to Mr. Zuckerberg's "jury duty" after December 31, 2004, as such documents are irrelevant to Mr. Zuckerberg's citizenship at the time the original Complaint was filed, September 2, 2004.

REQUEST NO. 249:

Communications from Mark Zuckerberg to any other person or entity concerning Mr. Zuckerberg's intention to travel to California, remain in California, and/or return to New York from January 2004 to the present.

RESPONSE TO REQUEST NO. 249:

Facebook Defendants object to this request as overly broad, unduly burdensome, harassing, and as requesting information that is neither relevant to the subject matter of this action nor likely to lead to the discovery of admissible evidence and is otherwise beyond the scope of the Court's Order.

Facebook Defendants object to the phrase "Communications ... concerning" as overly broad, unduly burdensome and harassing, as well as to the extent it either requests information that is neither relevant to the subject matter of this action, nor likely to lead to the discovery of admissible evidence, or requests information outside the scope of the Order.

Facebook Defendants object to this request to the extent it requests information subject to attorney-client, work product, or other privileges, including, without limitation, attorney-client communications and attorney work product.

Facebook Defendants further object to this request as vague and ambiguous, specifically regarding the terms "intention to ... remain in California, and/or return to New York." Facebook

Defendants also object to this request on the grounds that it is unduly burdensome and overbroad as to time – asking for documents regarding Mr. Zuckerberg's declarations, affidavits, and statements "from January 2004 to the present," when the Court's Order specifically limited discovery to "the *citizenship*" of Mark Zuckerberg "*at the time the original Complaint was filed*," which was September 2, 2004.

Facebook Defendants also object to this request to the extent that the requested documents have already been produced. Facebook Defendants object to this request to the extent it is duplicative of other requests.

As a result of the specific and general objections set forth, Facebook Defendants will not produce any documents in response to this request.

Dated: May 26, 2006

Respectfully submitted,



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